

REGULATION OF THE LEGAL PROFESSION IN WISCONSIN

FISCAL YEAR 2001 - 2002

Report of the Lawyer Regulation System



**Keith L. Sellen, Director
Office of Lawyer Regulation**

**William H. Levit, Jr., Chairperson
Board of Administrative Oversight**

ANNUAL REPORT FISCAL YEAR 2001-2002

Introduction

Pursuant to Supreme Court Rule (SCR) 21.03(6)(n) and 21.10(2)(e), the Office of Lawyer Regulation and Board of Administrative Oversight are filing this fiscal year 2001-2002 report on the lawyer regulation system. This report is the second report filed under the new regulation system, which became effective on October 1, 2000. The new system continues to improve in its efficiency and effectiveness. Though presently challenged with a heavy caseload that developed over several years, the system has sufficient capability to meet this challenge and to address current developments in lawyer regulation in a deliberate, comprehensive, and responsive manner.

Composition of the Lawyer Regulation System

“The lawyer regulation system is established to carry out the Supreme Court’s constitutional responsibility to supervise the practice of law and protect the public from misconduct by persons practicing law in Wisconsin.” SCR, Chapter 21, Preamble. The composition and organization of the lawyer regulation system is depicted in Appendix 1. The persons currently serving in these organizations are identified in Appendix 2. Following is a description of the components.

Supreme Court

The Supreme Court supervises the lawyer regulation system, determines attorney misconduct and medical incapacity, and imposes discipline or directs other appropriate action in proceedings filed with the Court.

Office of Lawyer Regulation

The Office of Lawyer Regulation (OLR) consists of the Director, investigative and support staff, litigation counsel, and retained counsel. The office has the following duties.

- To receive and to respond to inquiries and grievances relating to attorneys.
- To investigate allegations of attorney misconduct or medical incapacity.
- To divert matters into an alternative to discipline program.
- To prosecute misconduct or medical incapacity proceedings.
- To investigate license reinstatement petitions.

District Committees

District Committees exist in each of the sixteen state bar districts, and consist of lawyers and public members appointed by the Supreme Court. District Committees perform the following duties under the supervision of the Director.

- To educate the bar and the public about the legal profession and ethical practice of law.
- To refer to the Director possible misconduct or medical incapacity matters.
- To assist in the investigation of possible misconduct or medical incapacity.

- To recommend to the Director the appropriate disposition of matters it investigated.
- To monitor an attorney's participation in an alternatives to discipline program or an attorney's compliance with conditions on practice.
- To assist in resolving minor disputes between an attorney and a client.

Preliminary Review Committee

The Preliminary Review Committee consists of fourteen members, nine lawyers and five public members appointed by the Court. The Committee is comprised of two seven-member panels, each having at least four lawyers and at least two public members. The panels have the following duties.

- To review the results of OLR and District Committee investigations and to determine whether there is cause to proceed in the matter.
- To review, upon request by a grievant, decisions by the Director to dismiss a grievance after investigation.
- To confer with the Board of Administrative Oversight and to suggest improvements in the operation of the Committee and its panels.

Board of Administrative Oversight

The Board of Administrative Oversight consists of twelve members, eight lawyers and four public members appointed by the Court. The Board has the following duties.

- To monitor the fairness, productivity, effectiveness, and efficiency of the system.
- To monitor the implementation of new procedures.
- To assess public and bar perceptions of the integrity of the system.
- To report its findings to the Supreme Court.
- To review the operation of the system with the Court, and to file an annual report.
- To propose substantive and procedural rules.
- To inform and educate the public and bar about the system.
- To propose an annual budget.

Special Investigative Panel

The Special Investigative Panel is composed of lawyers appointed by the Supreme Court who are not currently participating in the lawyer regulation system. The Director refers allegations of misconduct against attorneys currently participating in the system to a special investigator. In a referred matter, the special investigator performs the functions that the Director would normally perform, which may include evaluating, investigating, dismissing, diverting, or prosecuting the matter.

Special Preliminary Review Panel

The Special Preliminary Review Panel is composed of four lawyers and three public members appointed by the Supreme Court. In matters involving allegations against current participants in the lawyer regulation system, the panel reviews the special investigator's decision to close a matter without investigation or dismiss a matter after investigation, and reviews an investigative report to determine whether there is cause to proceed.

Referees

Referees are attorneys or reserve judges appointed by the Supreme Court to perform the following duties.

- To conduct hearings in proceedings alleging misconduct or medical incapacity.
- To conduct hearings on petitions for license reinstatement.
- To review consensual public or private reprimands submitted by the Director.
- To review, upon the request of a grievant, determinations by Preliminary Review Panels of no cause to proceed.

Overview of the Lawyer Regulation System

The Wisconsin Supreme Court created the lawyer regulation system to carry out the Court's constitutional responsibility to supervise the practice of law and protect the public from misconduct by persons practicing law in Wisconsin. The Court has adopted standards of professional conduct for attorneys. The Court confers the privilege to practice law on an attorney conditioned on his or her compliance with those standards. *SCR 21.15(2)*. A failure to comply with the Court's standards may constitute misconduct or may be evidence of a medical problem.

The Director of the Office of Lawyer Regulation (OLR) is required to investigate any possible misconduct or medical incapacity of an attorney licensed to practice in the State of Wisconsin. *SCR 21.03(6)(a)*. Communications with OLR alleging lawyer misconduct are privileged, and no lawsuit predicated on those communications may be instituted against any grievant or witness. *SCR 21.19*. Attorneys and grievants may consult with and be represented by counsel at any stage of an investigation. Prior to the filing of a formal complaint or petition, all papers, files, transcripts and communications in an OLR investigation must be kept confidential by OLR. *SCR 22.40(1)*. OLR may, however, provide relevant information to the respondent and the grievant. *SCR 22.40(2)*. Although the Supreme Court Rules provide no sanction for disclosure of a grievance by the respondent or the grievant, OLR requests that those involved in an OLR investigation keep confidential all documents generated by the investigation.

Initially, OLR staff screens all inquiries and grievances concerning attorney conduct. If the allegations made are not within OLR's jurisdiction, staff will close the file. If the grievant disagrees with the staff's decision, the grievant may make a written request for the Director's review of the closure. The Director's decision is final. After preliminary evaluation, staff may also forward the matter to another agency; attempt to reconcile the matter between the grievant and attorney if it is a minor dispute; or refer the matter to the Director for diversion or investigation. Before or after investigation, the Director may divert the matter to an alternatives to discipline program, providing that nothing more than minor misconduct is involved, the respondent agrees, and the respondent is eligible to participate. Alternatives to discipline are usually educational programs or monitoring arrangements designed to assist an attorney in improving the quality of his or her practice.

If the grievance sets forth sufficient information to support an allegation of a violation of Chapter 20 of the Supreme Court Rules, OLR staff may initiate an investigation. OLR staff will send a letter to the respondent enclosing the grievance and

requesting a response within 20 days. In most instances, staff will forward the attorney's response to the grievant for comments. When OLR staff has completed the preliminary investigation, the Director will determine whether: (a) an uncontested violation exists; (b) the grievance should be dismissed for lack of merit; (c) further staff investigation is needed; or (d) the matter should be assigned to a district investigative committee for further investigation, pursuant to SCR 22.04(1).

If the grievance is further investigated by staff or a district committee, the respondent and the grievant will be kept advised about the investigation. The committee chairperson can assign the matter to one of the committee's investigators. Pursuant to SCR 22.04(2), the respondent may request a substitution of a district committee investigator within 14 days of receiving notice of the assignment of the investigator. The respondent shall be granted one such substitution as a matter of right, and any other requests for substitution shall be granted by the committee chairperson for good cause shown. If the committee decides to take sworn testimony regarding a grievance at an investigative meeting, the respondent and the grievant will receive timely notice of the meeting. Committee members elicit pertinent information from witnesses at such a meeting. In any matter referred to committee, the committee will prepare a report summarizing the facts and potential disciplinary violations. That report will be sent to the respondent and grievant for comment.

After the investigation is completed by staff and/or a committee, the Director may dismiss the matter for lack of sufficient evidence of cause to proceed, divert the matter to an alternatives to discipline program, obtain respondent's consent to a private or public reprimand, or present the matter to the Preliminary Review Committee for a determination of whether there is cause to proceed. In those cases in which the Director dismisses, the grievant has 30 days after receiving written notice of the dismissal to make a written request for review of the decision by the Preliminary Review Committee. The decision of the Preliminary Review Committee is final.

If, after the investigation is completed, the Director does not dismiss the grievance, seek a consent reprimand, or divert the matter, OLR staff will prepare an investigative report and provide a copy to the grievant and to the respondent for comment. [In cases in which a district committee investigates a matter, its report will serve as the investigative report.] The grievant and the respondent may submit a written response to the report no later than ten days following receipt of the report.

The Director may then submit the results of the investigation to the Preliminary Review Committee. The Preliminary Review Committee determines whether the evidence presented supports a reasonable belief that an attorney has engaged in misconduct or has a medical incapacity that may be proved by clear, satisfactory and convincing evidence. SCR 22.001(2). If the Preliminary Review Committee dismisses the matter, the grievant has 30 days after being notified of the dismissal to file a written request for review of that decision. The Supreme Court will select a referee to review the matter, and the referee's decision is final.

If the Preliminary Review Committee determines that the Director has established cause to proceed, the Director may file a complaint with the Supreme Court alleging misconduct. OLR, rather than the grievant, is the complainant in such a matter. If the Director files a complaint, an answer is required within 20 days of service of the

complaint. Upon proof of service, the Supreme Court appoints a referee to hear the matter pursuant to SCR 22.13(3). The referee holds a scheduling conference to define the issues and to determine the extent of discovery. The referee then presides at a public hearing which is conducted as a trial of a civil action to the court. SCR 22.16. OLR must prove misconduct or medical incapacity by clear, satisfactory and convincing evidence. SCR 22.38.

Within 30 days after the conclusion of the hearing, the referee will submit his or her report to the Supreme Court, including findings of fact, conclusions of law, and a recommendation of dismissal or imposition of discipline. OLR or a respondent may file an appeal of the referee's report within 20 days after the report is filed. If no appeal is timely filed, the Supreme Court reviews the referee's report and determines appropriate discipline in cases of misconduct and appropriate action in cases of medical incapacity. The Court may, on its own motion, order the parties to file briefs. Either the respondent or OLR may file a motion for reconsideration of the Supreme Court's decision within 20 days of the filing of the decision by the Court. The filing of a motion for reconsideration does not stay enforcement of the judgment. The Supreme Court's final dispositions of disciplinary and medical incapacity proceedings are published in the *Wisconsin Reports* and in *The Wisconsin Lawyer*.

The Year in Review

Significant Lawyer Regulation System Developments

During fiscal year 2000-2001, efforts focused on implementing the new system. During fiscal year 2001-2002, the focus was to improve the system's efficiency and effectiveness. As system participants have become more experienced, decision-making and efficiency have improved. The new system has a significantly greater capacity than the prior system, due in equal part to the increase in staff and the new central intake procedure. An increasingly higher percentage of matters are being resolved within 90 days and within 180 days than under the prior system.

On the other hand, the increase in the number of matters over a year old has raised considerable concern. This increase is attributable to an increase in the number of grievances over several years not addressed by staffing increases, and the need to implement the new regulation system and train its participants. During this fiscal year, several measures were applied to alleviate this concern, including staff overtime, limited-term employees, and increased district committee referrals. More aggressive measures are in place for next year, such that the number of matters over a year old should be reduced to a minimum by the next report.

The Supreme Court conducted a hearing on petitions to amend the rules relating to the lawyer regulation system on September 20, 2001, and amended the rules on November 14, 2001, and January 23, 2002. On March 12, 2002, the Court met with the Board of Administrative Oversight, the Preliminary Review Committee, Special Investigators, and the Special Preliminary Review Panel to discuss current developments in the lawyer regulation system.

The Preliminary Review Committee re-elected Attorney James Wickhem of Janesville chairperson and Attorney James Friedman of Milwaukee vice chairperson. The Committee met to consider matters on August 24, 2001, November 16, 2001, January 25, 2002, April 12, 2002, and June 28, 2002. The Committee considered whether cause to proceed existed in 42 matters,

and reviewed the Director's dismissals in 66 matters. The Supreme Court increased the membership of the committee, adding an attorney member and a public member. In May, the Court appointed Attorney Michael Anderson of Madison and Dr. Thomas Radmer of Trevor to these positions. The Committee received educational presentations during its open meetings, and further developed its operating procedures. Committee meetings will continue quarterly.

The Board of Administrative Oversight re-elected Attorney William H. Levit, Jr. of Milwaukee chairperson and Attorney Ann Ustad Smith of Madison vice chairperson. The Board held meetings on September 7, 2001, November 30, 2001, March 8, 2002, and June 7, 2002. Attorney Scott Roberts of Stevens Point was appointed to the Board to replace Attorney John Holzhueter, who resigned. Subcommittees to study district committees, to establish Board priorities, and to review rules proposals continued their work. The Board began a program to assess perceptions of the regulation system through a questionnaire that is sent to each grievant and each respondent after the grievance is resolved. The response rate is approximately 6% for grievants and 8% for respondents. The questionnaire responses provide helpful information. While perceptions generally relate to the outcome of the grievance, the questionnaire responses provide helpful information. The Board will continue to monitor trends in these perceptions.

Also this year, the Board has given careful consideration toward reducing the number of matters over a year old. In addition to regular monitoring, the Board approved an aggressive plan to reduce the number to minimum levels during this next year. In its budget submission, the Board proposed and the Court approved funding for six limited term grievance investigators and two program assistants. Also, the Board supported the Director's request for staff overtime, and strongly encouraged the referral of significantly more matters to district committees.

The District Committees continue to make a valuable contribution to the system, particularly this year as the caseload has required referral of many more cases than normal. Improvements in training and in the sharing of information have increased their effectiveness. Training sessions were held in Wausau, Rice Lake, Milwaukee, and Madison during the fiscal year. Each committee received a copy of the Case Compendium and the ABA Model Sanction Standards. The chairpersons met with the Board of Administrative Oversight in March and with the Director in May.

Special Investigators and the Special Preliminary Review Panel process matters involving allegations against attorneys who serve with the regular components of the regulation system. During fiscal year 2001-2002, special investigators received 67 referrals and resolved 33 matters. The Special Preliminary Review Panel met on July 10, 2001, October 22, 2001, January 31, 2002, and May 10, 2002. The Panel considered whether cause to proceed existed in three matters and reviewed special investigator decisions to close or dismiss matters in 25 matters. The Supreme Court modified the special procedures effective April 1, 2002, to more closely parallel the normal process; and added another member to the Review Panel, Mr. Dennis Gorder of Necedah, who was appointed in April.

The alternative to discipline program, which became effective on October 1, 2000, provides an effective way to improve an attorney's ability to practice in accordance with high professional standards. Frequently, this is a more effective measure than professional discipline. The Court has authorized diversion to an alternative program in situations where the program will likely benefit the attorney, and where the attorney will not likely harm the public. Alternative programs may include mediation, fee arbitration, law office management assistance, evaluation and treatment for alcohol and other substance abuse, psychological evaluation and treatment, medical evaluation and treatment, monitoring of practice or trust account procedures, continuing

legal education, ethics school, and the multistate professional responsibility examination. During the fiscal year, 85 attorneys were diverted to alternative programs.

The central intake program, which became effective on January 1, 2001, provides for the receipt of inquiries and grievances concerning attorney conduct, and for the preliminary evaluation of grievances prior to any formal investigation. Inquiries and grievances are now received by telephone; callers may use a toll free number to contact the Office of Lawyer Regulation. After the preliminary evaluation, the Central Intake staff may forward the matter to another appropriate agency, attempt to reconcile the matter if it is a minor dispute, close the matter if it does not present sufficient information to support an ethical allegation, or refer the matter for investigation or diversion to an alternative to discipline.

Central Intake received approximately 2400 inquiries and grievances. This represents an increase of approximately 60% in matters received compared to the period prior to the program. Of the matters evaluated in Central Intake during the last six months of the fiscal year, approximately 25% were forwarded for formal investigation. Of the 75% that were closed without formal investigation, 15% involved the resolution of minor disputes or grievances that were withdrawn.

The regulation system is more accessible than in the past. The ability to communicate telephonically with grievants and respondent attorneys provides more personal contact and increases the level of satisfaction with the process. Central Intake also provides an efficient means to respond to grievances. Decisions whether to close or to formally investigate are made more promptly. As a result, the number and percentage of matters resolved within 90 days and within 180 days have increased.

Overdraft Notification Program

The Overdraft Notification Rule [SCR 20:1.15(i) – (p)] went into effect on January 1, 1999. That rule requires attorneys to authorize their banks to notify the Office of Lawyer Regulation of overdrafts on their client trust accounts and fiduciary accounts. Information regarding the trust account overdraft program is available from the Office of Lawyer Regulation web page [www.courts.state.wi.us/olr].

During fiscal year 2002, 117 overdrafts were reported to OLR, 14 less overdrafts than the previous fiscal year. Overdraft reports resulted in the commencement of two disciplinary proceedings this year. Those proceedings remain pending. In addition, overdraft notifications have resulted in the following dispositions during this year:

Diversion	5
Dismissal after Investigation/Advisory Letter sent	22
Dismissal	10
Closed without Investigation/Advisory Letter sent	23
Closed without Investigation/Bank Errors	39

Beginning this year, OLR will conduct a trust account management seminar as an alternative to discipline program. The Director and overdraft investigator continue to work with the State Bar regarding possible amendments to SCR 20:1.15.

Public Information and Outreach

As a means to promote understanding and confidence in the lawyer regulation system, public information and outreach efforts are ongoing. A list of the presentations made during the year is at Appendix 12. General information about the lawyer regulation system is available at www.courts.state.wi.us/olr.

Survey of Matters

Overall Processing

Since the inception of the new system, the number of grievances has increased approximately 60%. System capacity has also increased, such that the processing of matters occurs in an efficient manner. There is, on the other hand, a significant increase in the number of matters over a year old that should be resolved during the next year. Appendices 3 –7 contain general information about the overall processing of matters.

The pending caseload is over 1200 matters, up from the prior year, and more than the optimal caseload capacity of about 950 matters. Increased referrals to district committees and the hiring of temporary staff should reduce the number to the optimal caseload during this fiscal year.

With the exception of matters over a year old, the efficiency with which matters are processed is very good. The average processing time was 184 days, which is near the average for the last ten years. The percentage of matters resolved within 90 days has increased from 44% in fiscal year 2000, to 55 % in fiscal year 2001, to 58% in fiscal year 2002. The percentage of matters resolved within 180 days increased from 68% in fiscal year 2000, to 70 % in fiscal year 2001, to 74% in fiscal year 2002. These percentages are expected to increase this year.

Grievances

In an effort to inform the Supreme Court, the Bar, and the public of the source and nature of the grievances received and the areas of practice from which grievances arise, Appendices 8A – 8C break down by category the grievances received between July 1, 2001 and June 30, 2002. In describing the nature of the grievances, only the most serious allegation is reflected. While most grievances allege various acts of misconduct, it is not practical to list all allegations.

The allegations most commonly made in a grievance were lack of diligence by the lawyer entrusted with the legal matter and lack of communication with the client (see Appendix 8A). The two areas of practice that produced the largest number of grievances during the year were criminal law and family law (see Appendix 8B). It is important to point out that while clients file the majority of grievances, anyone can file a grievance. Appendix 8C illustrates the sources from which grievances were received during the fiscal year.

Discipline

In fiscal year 2001-2002, 28 attorneys received a public disciplinary sanction. The Supreme Court imposed one revocation by consent, ten suspensions, eight temporary suspensions and four public reprimands. Referees issued five public reprimands by consent. At the end of the year, 32 formal disciplinary matters were pending in the Supreme Court. Appendix 9 shows the numbers and percentages of attorneys receiving public discipline since fiscal year 1978-1979. Appendix 10 shows the type of misconduct found in public discipline decisions. Appendix 11 shows the areas of practice in which discipline was found in public decisions.

A Referee has authority, under SCR 22.09(3), to issue private reprimands pursuant to an agreement between the Director and the attorney. Typically, a private reprimand is imposed for an isolated act of misconduct that caused relatively minor harm. The Director does not enter an agreement for a private reprimand if public disclosure of the attorney's misconduct is necessary to protect the public. Private reprimands are retained permanently and are available as an aggravating factor on the issue of sanction if the attorney commits subsequent misconduct. As a means of educating the Bar, summaries of private reprimands, without any reference to or identification of the attorney involved, are printed every six months in the *Wisconsin Lawyer* magazine.

During this fiscal year, 21 attorneys received private reprimands. Eighty-five attorneys entered the new alternatives to discipline program and 18 attorneys completed an alternative program.

Other dispositions included:

- 1664 inquiries that did not warrant investigation. These matters were closed after the initial intake evaluation because there was insufficient information to support an allegation of misconduct.
- 363 dismissals after investigation in cases where there was insufficient evidence of a violation.
- 84 dismissals with an advisory letter. This disposition occurs in cases where the evidence is insufficient to prove a violation, but where practical advice would be helpful to an attorney.
- 28 closed pending petition for reinstatement.

Following is a summary of public discipline cases for fiscal year 2001-2002.

SUMMARY OF PUBLIC DISCIPLINE

Office of Lawyer Regulation

July 1, 2001 - June 30, 2002

<i>Attorney</i>	<i>Admitted</i>	<i>Location</i>	<i>Decided</i>	<i>Effective</i>
<u>Revocation by Consent</u>				
Mark R. Prichard	04/16/91	Merrill	02/26/02	02/26/02
<u>Two Year Suspension</u>				
James H. Dumke	09/13/83	Janesville	11/21/01	11/21/01

One Year Suspension

John Miller Carroll	12/04/87	New London	12/06/01	01/10/02
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Fifteen Month Suspension

Robert J. Urban	06/09/58	Milwaukee	06/20/02	07/25/02
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Nine Month Suspension

Kathryn Karlsson	09/06/90	Milwaukee	11/29/01	01/04/02
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Six Month Suspension

Thomas D. Baehr	09/27/85	Stevens Point	02/26/02	04/02/02
Sharon A. Davison	09/14/81	Milwaukee	03/15/02	04/26/02
David L. Nichols	05/18/81	Brillion	06/14/02	07/19/02
Matthew O. Olaiya	01/10/84	Madison	10/30/01	12/04/01

Ninety Day Suspension

Dianna L. Brooks	05/20/91	Southfield, MI	04/10/02	04/10/02
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Sixty Day Suspension

Christopher L. O'Byrne	08/15/86	Port Washington	11/21/01	12/26/01
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Temporary Suspension

Judith A. Pinchar	09/13/82	Milwaukee	08/27/01	08/27/01
John E. Sanborn	12/28/71	Janesville	10/23/01	10/23/01
Robert L. Sherry	05/21/84	Wauwatosa	10/30/01	10/30/01
Glenn Blise	05/23/88	Kenosha	10/30/01	10/30/01
				Reinstated
				11/20/01
Eric K. Graf	01/12/81	Madison	02/26/02	02/26/02
Bartley G. Mauch	06/16/72	Prairie du Sac	02/26/02	02/26/02
				Reinstated
				06/26/02
David R. Nott	06/20/89	Beloit	06/06/02	06/06/02
Hans Karel Ribbens	01/30/95	Sherwood	06/11/02	06/11/02

*Admitted**Location**Decided***Court Public Reprimand**

Thomas E. Zablocki	02/09/68	Greendale	10/20/01
Michele A. Tjader	05/02/96	Madison	04/26/02
Ralph A. Kalal	06/08/73	Monona	05/02/02
Robert T. Malloy	08/21/92	Wauwatosa	05/24/02

OLR Public Reprimand

Thomas J. Fink	01/07/63	Menasha	01/03/02
Thomas L. O'Neil	06/08/73	Johnson Creek	03/11/02
Charles E. Brady	06/18/80	Hudson	04/10/02
Tim Osicka	09/24/86	Wausau	04/10/02
Gary D. Knudson	12/03/71	Rhineland	05/01/02

Reinstatements

During fiscal year 2001-2002, the Court completed action on 20 reinstatement petitions, 14 administrative and 6 disciplinary, after investigations by the Office of Lawyer Regulation and public hearing. (In the past, public hearings were before a district committee. Under the new system, public hearings are before a referee.) Following is a summary of reinstatements.

SUMMARY OF REINSTATEMENTS

Office of Lawyer Regulation

July 1, 2001 – June 30, 2002

<i>Attorney</i>	<i>Location</i>	<i>Received</i>	<i>Decided</i>	<i>Outcome</i>
<u>Administrative</u>				
Robert Glickman	Atlanta, GA	03/27/01	07/06/01	Granted
Stuart Todd Rapp	Apple Valley, MN	05/01/01	09/05/01	Granted
Kimberly Eccleston	Brown Deer	08/14/01	12/03/01	Granted
David M. Naples	Littleton, CO	04/13/00	01/28/02	Granted
Michael J. Klug	Washington D.C.	07/05/00	02/06/02	Granted
Betsy A. Tobias	Ocala, FL	10/30/00	02/06/02	Granted
Leslie Anne Lardner	Milwaukee	05/10/00	02/21/02	Granted
Terry Ann Morgan	New York, NY	11/05/01	03/05/02	Granted
Cherie Barnard	Ladysmith	07/31/98	03/13/02	Granted
James W. Lateer	Rockford, IL	12/03/01	03/13/02	Dismissed
Constance N. Traylor	Overland Park, KS	03/19/02	05/14/02	Granted
Delila M. J. Ledwith	Grapevine, TX	08/16/00	05/22/02	Dismissed
Thomas w. Braun	Boston, MA	02/04/02	05/22/02	Withdrawn
Roland D. Graham	Helena, MT	04/15/02	06/12/02	Granted
<u>Disciplinary</u>				
David V. Jennings, III	Mequon	10/12/99	07/24/01	Withdrawn
Robert T. Malloy	Wauwatosa	04/17/00	09/21/01	Denied
Thomas E. Zablocki	Greendale	12/21/98	01/11/02	Dismissed
David V. Penn	Sayner	06/20/00	01/23/02	Reinstated with conditions
Robert Hyndman	Milwaukee	02/16/00	01/23/02	Reinstated with conditions
Theodore Mazza	Oconomowoc	09/01/00	04/26/02	Reinstated with conditions

Finances

The legal profession is unique in assuming all costs for policing itself. An assessment on every member of the State Bar of Wisconsin pays the costs and expenses of the lawyer regulation system, including all the costs and expenses of the Office of Lawyer Regulation, District Committees, Preliminary Review Committee, and Board of Administrative Oversight. To help offset the costs, the Office of Lawyer Regulation collects costs from attorneys disciplined in formal court proceedings and collects fees on petitions for reinstatement. Collections for fiscal year 2001-2002 were \$51,839.52.

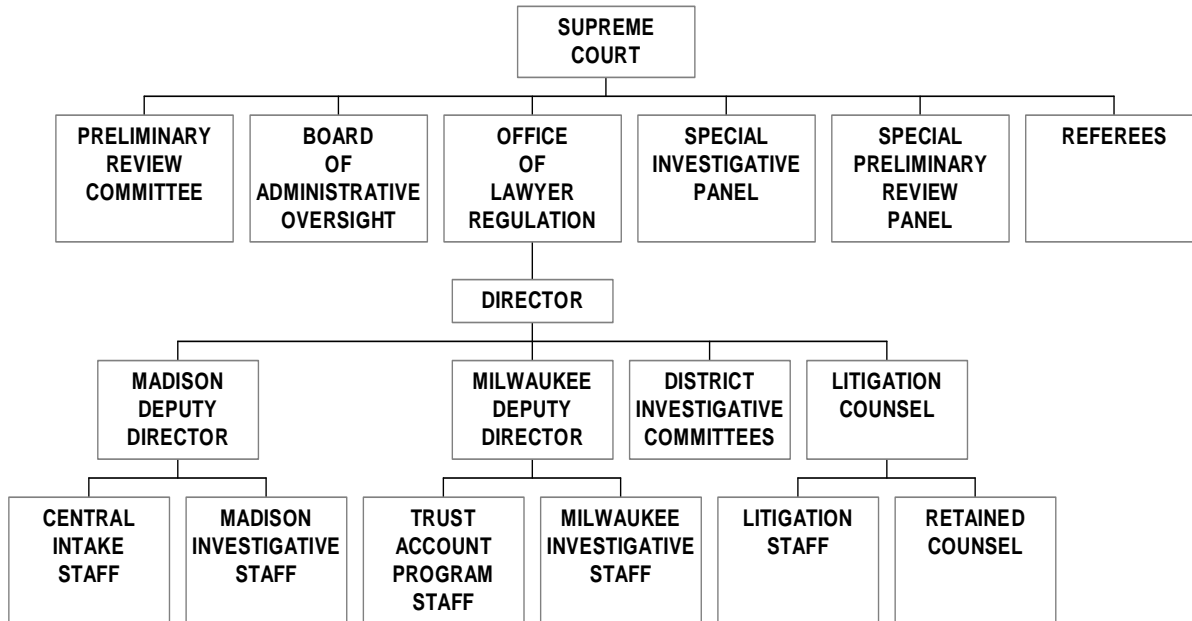
The budget for fiscal year 2002-2003 is \$2,318,000, the assessment is \$128.55, up from \$124.78 last year. The assessment is in line with those of neighboring jurisdictions, somewhat higher than Minnesota and Iowa, but lower than Illinois. The assessment is significantly lower than in Colorado, which has a comparable lawyer population and similar programs.

The Year Ahead

Next year, the system will be challenged to reduce the number of matters over a year old; it should meet that challenge as it continues to improve in its efficiency and effectiveness. Efforts to assess perceptions of the system and to evaluate its effectiveness will continue. These efforts will further enhance fairness and effectiveness, and promote increased public confidence in lawyer regulation. Finally, the system will begin to consider and address the current issues affecting lawyer regulation, particularly those related to Ethics 2000, an ABA initiative to review the model rules of professional conduct.

APPENDIX 1

***ORGANIZATIONAL CHART OF THE
LAWYER REGULATION SYSTEM***



APPENDIX 2

COMPOSITION OF THE LAWYER REGULATION SYSTEM

WISCONSIN SUPREME COURT

Chief Justice Shirley S. Abrahamson
Justice William A. Bablitch
Justice Jon P. Wilcox
Justice Ann Walsh Bradley
Justice N. Patrick Crooks
Justice David T. Prosser
Justice Diane S. Sykes

OFFICE OF LAWYER REGULATION

Keith L. Sellen, Director
Madison

John K. O'Connell, Deputy Director
Madison

Jeananne L. Danner, Deputy Director
Milwaukee

William Weigel, Litigation Counsel
Madison

Investigative Staff:

Mary A. Ahlstrom	Madison
Brett Balinsky, LTE Grievance Investigator	Madison
Lorry Eldien	Milwaukee
Elizabeth Estes	Madison
Heidi Gaylord, LTE Grievance Investigator	Milwaukee
Cathe Hahn	Madison
Jennifer Henzl-McVey	Milwaukee
John Hickey, LTE Intake Investigator	Milwaukee
Lisa Mazzie, LTE Grievance Investigator	Madison
Rachel Nadel	Milwaukee
Timothy Pierce	Milwaukee
Melody Rader-Johnson	Madison
Midori Shaw	Madison
Kay Sievers	Madison
Mary Smith	Milwaukee
Sara Ward, LTE Grievance Investigator	Madison
Nancy L. Warner	Madison
Debra Wojtowski, LTE Grievance Investigator	Milwaukee
Jonathan Zeisser	Madison

Support Staff:

Linda Ackerman	Madison
Bonnie Campbell, LTE Program Assistant	Madison
Sheri Carter	Madison
Nancy Davlantes	Milwaukee
Damaris Drohin	Madison
Carol Kornstedt	Madison
Mary McMillan	Madison
Angelia Pearson	Madison
Carol Rymer	Milwaukee
Barbara Schlak	Madison
Susan Stock	Milwaukee
Laurie Wildrick	Milwaukee

FISCAL YEAR 2001-2002 RETAINED COUNSEL

Matthew Anich	Ashland
Thomas Basting	Janesville
Charles Blumenfield	Milwaukee
Gregg M. Herman	Milwaukee
Jay D. Koritzinsky	Madison
Robert G. Krohn	Janesville
Marc T. McCrory	Janesville
Richard P. Mozinski	Manitowoc
James C. Reiher	Milwaukee
Paul W. Schwarzenbart	Madison
Frank M. Tuerkheimer	Madison
Denis Vogel	Madison
James J. Winiarski	Milwaukee

DISTRICT COMMITTEE MEMBERS

*non-lawyer

District No. 1 (Jefferson, Kenosha, Walworth Counties)

Chairperson Paul Gagliardi	Salem
Vice Chairperson Frederick Zievers	Kenosha
Richard C. Kelly	Whitewater
*John Wamboldt	Kenosha
Christopher Rogers	Fort Atkinson
Phillip Godin	Kenosha
Edward Thompson	Delavan
Neil F. Guttormsen	Kenosha
*Paul G. Aldige	Delavan
*Gail Gentz	Kenosha
John P. Higgins	Kenosha
Matthew Vignali	Kenosha

District No. 2 (Milwaukee County)

Chairperson Thomas St. John	Milwaukee
Vice Chairperson Michael Steinle	Milwaukee
Thomas L. Frenn	Milwaukee

Mark B. Pollack	Milwaukee
Victor Harding	Milwaukee
Kathleen Ortman Miller	Milwaukee
Kathryn Bach	Wauwatosa
Emile Banks	Wauwatosa
John DeStefanis	Milwaukee
Lori Gendelman	Milwaukee
John Germanotta	Whitefish Bay
Francis Martin	Milwaukee
Clayton Riddle	Milwaukee
Nancy Meissner Kennedy	Milwaukee
Donald Christl	Milwaukee
Grace Masson	Milwaukee
Mario Gonzales	Milwaukee
Kenan J. Kersten	Milwaukee
Theodore Hodan	Milwaukee
Katherine Williams	Milwaukee
*Dr. Richard Silberman	Milwaukee
*Patrick Doyle	Milwaukee
*Shel Gendelman	Milwaukee
Margadette M. Demet	Milwaukee
Anne Berleman Kearney	Milwaukee
R. Jeffrey Krill	Milwaukee
Edward A. Hannan	Brookfield
Sheryl A. St. Ores	Milwaukee
Thomas A. Cabush	Milwaukee
*Donald G. Doro	Milwaukee
*John Hanlon	Elm Grove
*Henry Uihlein	River Hills
*Neiland Cohen	Milwaukee
*Victoria L. Toliver	Milwaukee
Janice Rhodes	Milwaukee
Timothy S. Trecek	Milwaukee

District No. 3 (Winnebago, Fond du Lac, Green Lake Counties)

Chairperson Timothy Young	Oshkosh
Nicholas A. Casper	Fond du Lac
David J. Colwin	Fond du Lac
Lynn Lorensen	Oshkosh
Alyson Zierdt	Oshkosh
*Ronald A. Detjen	Berlin
*Professor Martin F. Farrell	Ripon
Ludwig L. Wurtz	Ripon
Milton D. Schierland Jr.	Oshkosh
Ronald P. Hammer	Fond du Lac
Dennis L. Simon	Neenah
*John Fairhurst	Campbellsport
*Karen Schneider	Appleton

District No. 4 (Door, Kewaunee, Manitowoc, Calumet, Sheboygan Counties)

Chairperson Gary Bendix	Manitowoc
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*Professor V. Alan White
David Gass
James Ungrodt
Thomas S. Burke
Russell Van Skike
Ralph F. Herlache
Randall J. Nesbitt
*Robert Dobbs
*Erika S. Dalebroux

Manitowoc
Sheboygan
Kiel
Luxemburg
Sheboygan
Sturgeon Bay
Sturgeon Bay
Two Rivers
Luxemburg

District No. 5 (Crawford, LaCrosse, Richland, Vernon, Monroe, Trempealeau, Jackson, Clark, Buffalo, Pepin Counties)

Chairperson C. Michael Chambers
Vice Chairperson James G. Curtis
Robert Hagness
Ann Brandau
Patricia Heim
Robert Mubarak
Gerald Laabs
Ralph Osborne, Jr.
Bruce Brovold
Kristin Goedert
Frank R. Vazquez
*Diane Morrison
George Parke
J. David Rice
*Sheila Garrity
*John Parkyn III
*Linda Lee Sondreal
*James Geissner

Cochrane
LaCrosse
Mondovi
LaCrosse
LaCrosse
Tomah
Black River Falls
Sparta
Arcadia
LaCrosse
Neillsville
LaCrosse
LaCrosse
Sparta
LaCrosse
Stoddard
LaCrosse
LaCrosse

District No. 6 (Waukesha County)

Chairperson Michael J. Lauer
Richard A. Congdon
Robin Dorman
*Julie DeYoung
Judith Paulick
Linda C. de la Mora
Gary Kuphall
*Robert Jacobs
*Carla Friedrich
*Dennis M. Waller
Jeffrey N. Gingold
Cheryl A. Gemignani
Michael T. Mahony

Menomonee Falls
Waukesha
Waukesha
Waukesha
Elm Grove
Elm Grove
Waukesha
Brookfield
Waukesha
Brookfield
Brookfield
Waukesha
Milwaukee

District No. 7 (Wood, Portage, Waupaca, Waushara, Adams, Juneau, Marquette, Sauk, Columbia Counties)

Chairperson Richard Weymouth
Gary Kryshak

Wisconsin Rapids
Wisconsin Rapids

Wautoma
Marshfield
Stevens Point
Wisconsin Rapids
Baraboo
Stevens Point
Baraboo
Wisconsin Rapids
Wisconsin Rapids

New Richmond
Eau Claire
Eau Claire
New Richmond
Menomonie
Hudson
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River Falls
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Madison

James R. Jansen	Madison
Richard J. Langer	Madison
*Nina Petrovich Bartell	Madison
*Charles A. Bunge	Madison
*Judith A. Miller	Madison
*Ellen Pritzkow	Middleton
Todd G. Smith	Madison
Maureen McGlynn	Madison
Frederick Huguenin Miller	Madison
H. Rupert Theobald, PhD	Madison

District No. 10 (Marinette, Menominee, Oconto, Outagamie, Shawano Counties)

Chairperson Nila Robinson	Appleton
Thomas Schwaba	Marinette
*Raymond Zagorski	Appleton
Mary Coughlin	Appleton
James Morrison	Marinette
Richard Thomas Elrod	Appleton
James N. Miron	Little Chute
*C. Raymond Durkee	Appleton

District No. 11 (Douglas, Bayfield, Iron, Ashland, Sawyer, Washburn, Burnett, Price, Polk, Barron, Rusk, Taylor, Chippewa Counties)

Chairperson Timothy Doyle	Rice Lake
John Anderson	Washburn
Richard Gondick, Jr.	Superior
*Eleanora Tribys	Port Wing
Joseph Crawford	LaPointe
Dan Snyder	Park Falls
*James Crandall	Drummond
Guy T. Ludvigson	Webster
Forrest O. Maki	Superior
Paul A. Sturgul	Hurley
Steven Cray	Chippewa Falls
Katherine M. Stewart	Spooner
John C. Grindell	Frederic
*Laura M. Nevitt	Luck

District No. 12 (Green, Rock, Lafayette, Iowa, Grant Counties)

Chairperson F. Mark Bromley	Lancaster
Vice Chairperson Margery Mebane Tibbetts	Janesville
*Dale Anderson	Janesville
Ray Jablonski	Janesville
Peter Kelly	Monroe
Dale Pope	Edgerton
Craig Day	Lancaster
Stephen O. Hart	Edgerton
*Don Holloway	Janesville
*Ann E. Haglund	Platteville
*Theron E. Parsons IV	Platteville
*John Simonson	Platteville

David B. Feingold
William T. Henderson
Gayle Branaugh Jebbia
Patrick K. McDonald
Eric D. Reinicke
Derrick A. Grubb
*Reverend Lynn L. Church
*Kathleen J. Roelli
*Michael F. Metz

Janesville
Beloit
Dodgeville
Janesville
Platteville
Beloit
Lancaster
Darlington
Lancaster

District No. 13 (Dodge, Ozaukee, Washington Counties)

Chairperson Eric Becker
William Alderson
Gary R. Schmaus
William Buchholz
Lisa Derr
*John C. Ralston
Paul M. Dimick
*Deborah Lukovich
*Dr. Alan Martens

Beaver Dam
West Bend
Menomonee Falls
Waupun
Beaver Dam
Juneau
Cedarburg
Mequon
Waupun

District No. 14 (Brown County)

Chairperson Joseph M. Nicks
Vice Chairperson William Malooly
John C. Huegel
Jeffrey F. Jaekels
Frank S. Wochos
Patricia Brzezinski
Susan Reigel
*Pastor George Krempin
Cynthia Caine Treleven
Ralph J. Tease, Jr.
Sandra L. Hupfer

Green Bay
Green Bay
Green Bay
Green Bay
Green Bay
Keshena
Green Bay
Green Bay
Green Bay
Green Bay
DePere

District No. 15 (Racine County)

Chairperson Daniel J. Kelley
Vice Chairperson Cynthia Murphy
*Connie Crowder
Thomas M. Devine
John W. Foley
Scott W. French
Michael J. Kelley
Joseph J. Muratore, Jr.
Mark Lukoff
Sally Hoelzel
*Phyllis Nielsen
John Barry Stutt
Timothy D. Boyle
*John P. Crimmings

Racine
Racine
Burlington
Racine
Racine
Racine
Burlington
Racine
Racine
Racine
Racine
Racine
Racine
Burlington
Racine

District No. 16 (Forest, Florence, Langlade, Lincoln, Marathon, Oneida, Vilas Counties)

Chairperson John O'Melia	Rhineland
Colin Pietz	Wausau
*Cheryl S. Davis	Wausau
Daniel Daubert	Wausau
William Anderson	Eagle River
James Koppelman	Merrill
Paul Payant	Antigo
Sara Ruffi	Wausau
Jerome Tlusty	Schofield
Francis U. Seroogy	Tomahawk
Robert W. Zimmerman	Wausau
William Schroeder	Rhineland
Christine R. H. Olsen	Wausau
*Thomas Burg	Merrill
*Tom Lonsdorf	Schofield
*Judy A. Frymark, AIC	Merrill
John Danner	Minocqua

PRELIMINARY REVIEW COMMITTEE

Attorney James D. Wickhem, CHAIRPERSON
Janesville, WI

Attorney James D. Wickhem is a partner in Meier, Wickhem, Lyons & Schulz in Janesville. He specializes in civil litigation, including personal injury, business litigation, products liability, and insurance disputes. Since 1991, he has served on a district professional responsibility committee (part of the lawyer regulation system), and currently he is chair of that committee. Wickhem has been active in his community, serving on the Janesville Police and Fire Commission and on the board of directors of Big Brothers/Big Sisters of Rock County.

Attorney James D. Friedman, VICE CHAIRPERSON
Milwaukee, WI

Attorney James D. Friedman is a partner in Quarles & Brady in Milwaukee, where he is coordinator of the Financial Institutions Practice Group. Friedman is a former member of the Board of Governors and executive committee of the State Bar of Wisconsin. He is a director of Partners Advancing Values in Education, Inc., and the Equal Justice Coalition, Inc., and is listed in *The Best Lawyers in America*, *Who's Who in the World*, *Who's Who in America*, *Who's Who in American Law*, *Who's Who in the Midwest*, and *Who's Who in Finance and Industry*.

Attorney Michael S. Anderson
Madison, WI

Attorney Michael S. Anderson is a partner in Axley Brynson in Madison, where his practice (both trial and appellate) specializes in commercial and business litigation, insurance coverage disputes, and products liability defense. He has been a member of the District 9 Professional Responsibility Committee, which assists the Office of Lawyer Regulation with investigations into possible lawyer misconduct, for nine years. He is listed in *Who's Who in Finance and Industry*, *Who's Who in the World*, *Who's Who in America* and *Who's Who in American Law*.

Mr. Michael S. Ariens
Brillion, WI

Michael S. Ariens is Chairman of the Board of Ariens Company, a manufacturer of outdoor power equipment that has been located in Brillion since 1933. Ariens has been with the company since 1959. He is also very active in the business community and in the Catholic Diocese of Green Bay.

Attorney Wayne A. Arnold
Rice Lake, WI

Atty. Wayne A. Arnold is deputy first assistant of the Trial Division of the State Public Defender's Office in Barron County. He has served as a supervisor for the State Public Defender since 1985, overseeing operations at various times in Barron, Burnett, Polk, Sawyer, and Washburn counties, in addition to Rusk. Arnold has been active in his community, serving on various court-related committees and building and operating his own radio station, WFCL-AM in Clintonville.

Attorney Thomas W. Bertz
Stevens Point, WI

Attorney Thomas W. Bertz is a partner in Anderson, Shannon, O'Brien, Rice & Bertz in Stevens Point. He began his law career by clerking for Chief Justice Timothy Brown, who served on the Wisconsin Supreme Court from 1949 to 1964. Bertz is active in his community, serving as president of the Stevens Point Rotary Foundation.

Attorney John R. Dawson
Milwaukee, WI

Attorney John R. Dawson is a partner in Foley & Lardner in Milwaukee, where he has worked since 1970. His practice emphasizes commercial litigation and media law. He is listed in *The Best Lawyers in America* in the areas of business law and First Amendment law and is active on the boards of directors of the Milwaukee Public Museum and the Better Business Bureau of Wisconsin.

Attorney Karri L. Fritz-Klaus
Milwaukee, WI

Attorney Karri L. Fritz-Klaus runs her own Milwaukee law office and specializes in divorce and family law, and mediation. She is past-chair of a district professional responsibility committee (part of the lawyer regulation system) and past-president of the Association for Women Lawyers. She has served as an editor and research assistant at the Smithsonian Institution and as an advisor and consultant to the National Museum of African Art.

Rev. Steven K. Gjerde
Spencer, WI

Rev. Steven K. Gjerde is pastor at St. John's Lutheran Churches in the Wausau-area communities of Spencer and Riplinger. He has taught ethics at the Luther Seminary in St. Paul, and served in the Department of Chaplain Services at the Mayo Clinic. Gjerde is active in his community, serving as chaplain for the Spencer Fire Department and on the advisory board to the King Food Pantry.

Ms. Joan Greendeer-Lee
Tomah, WI

Joan Greendeer-Lee has been a tribal court judge and president of the Wisconsin Tribal Judges Association. Trained as a paralegal, Greendeer-Lee holds a degree in geography. From 1985 to 1999, she served as an assistant manager for the U.S. Census Bureau, where she focused on mapping techniques for identifying American Indian and Alaska Native lands.

Attorney Bernard T. McCartan
Madison, WI

Attorney Bernard T. McCartan is regional claim counsel for American Family Insurance Co., managing the company's Wisconsin legal department. He currently serves as chair of the Professional Ethics Committee of Civil Trial Counsel of Wisconsin and has authored several articles on topics related to ethics. He is active in his community, serving as a youth athletics coach and volunteering as counsel to Milwaukee's Irish festivals.

Dr. M. Tambura Omoiele
Madison, WI

Dr. M. Tambura Omoiele is an adjunct professor at Edgewood College, where she specializes in sociology and criminal justice-related topics. She has also taught at universities in Kansas and Ohio, and has conducted numerous faculty development workshops throughout the Midwest. She has been listed in *Who's Who in the World*, *Who's Who in the Midwest*, and *Who's Who of American Women*.

Dr. Thomas W. Radmer, DDS, M.S.
Trevor

Dr. Radmer is an Oral Maxillofacial Surgeon. He graduated from the University of Wisconsin in 1966, graduated from Marquette School of Dentistry in 1970, and earned a Master's Degree in Oral Maxillofacial Surgery from Marquette University in 1975. Dr. Radmer is Board qualified in OMS, and is a fellow at the American Association OMS and the International Association OMS.

Attorney Frank D. Remington
Madison, WI

Attorney Frank D. Remington is an assistant attorney general with the Wisconsin Department of Justice, where he has worked since 1987. He began his law career as a clerk to Wisconsin Supreme Court Justice Donald W. Steinmetz, who served on the Court from 1980 to 1999. Remington recently completed two terms on a district professional responsibility committee (part of the lawyer regulation system).

BOARD OF ADMINISTRATIVE OVERSIGHT

Attorney W. H. Levit Jr., CHAIRPERSON
Milwaukee, WI

Attorney W.H. Levit Jr. is a partner, chair of the International Practice Group and Loss Prevention Counsel for Godfrey & Kahn, where he has worked since 1983. Previously he had been general counsel of a Fortune 250 company and a partner in a Wall Street law firm. He is active in international arbitration, and served as a substitute arbitrator at the Iran-U.S. Claims Tribunal in The Hague from 1984 to 1988. He currently serves as an arbitrator and mediator for the Center for Public

Resources, American Arbitration Assn., NASD and New York Stock Exchange. Early in his career he was a criminal defense attorney at the Legal Aid Society in New York City. Attorney Levit has served as chair of a BAPR district committee, is former chair of the State Bar's Committee on Resolution of Fee Disputes and is chair of the Milwaukee Bar Association's Fee Arbitration Committee. Attorney Levit is president of the Seventh Circuit Bar Association. He is listed under "Business Litigation" in the Best Lawyers in America.

**Attorney Ann Ustad Smith, VICE CHAIRPERSON
Madison, WI**

Attorney Ann U. Smith is a partner with Michael Best & Friedrich, where she specializes in bankruptcy, commercial litigation, and constitutional litigation. She is a member of the Ethics Committee, which offers analysis and advice on ethics issues to the firm's attorneys. In 1989, Smith served as staff to the Governor's Blue Ribbon Commission on Ethics and Lobbying Laws. A past member of a BAPR district committee, Smith also represented BAPR on open records issues in 1999.

**Attorney Burneatta L. Bridge
Madison, WI**

Attorney Burneatta L. Bridge has worked for the Wisconsin Department of Justice since 1985. She is currently deputy attorney general, a position she has held since 1993. Bridge is very active in the affairs of the State Bar, where she currently sits on the Board of Governors. She is currently co-chair of the Attorney General's Task Force on Children in Need. From 1993 to 2000, she served as a member of a BAPR district committee. Bridge is also a former president of the Legal Association of Women.

**Attorney Dennis R. Cimpl
Milwaukee, WI**

Attorney Dennis R. Cimpl has been a judicial court commissioner for Milwaukee County since 1995. Prior to this, he spent 20 years in private practice. Cimpl served on the State Bar's Board of Governors for four years and served on the BAPR Study Committee. He also served on a BAPR district committee and was a member of the Milwaukee Bar Association's Fee Arbitration Committee for 16 years. In his capacity presiding over a Children's Court calendar, Cimpl is active in child welfare issues.

**Ms. Claire A. Fowler
Hubertus, WI**

Claire A. Fowler owns Gemini Employee Leasing, Inc., which she founded in 1981. Fowler is very active in her community, and serves on numerous professional boards and committees including the Wisconsin Business Women's Coalition, of which she is a founder. The Coalition recommended her appointment to the BAO. Fowler also has served on the State Job Training Coordinating Council and the Women's Advisory Council of the Small Business Administration.

**Ms. Krista L. Ginger
Madison, WI**

Krista L. Ginger is executive assistant to State Public Defender Nicholas L. Chiarkas. Ginger has worked in this capacity for three years. Prior to this, she worked for the Department of Corrections, where she served as staff to the Governor's Task Force on Corrections. Ginger worked from 1989 to 1994 as a clerk in the Wisconsin Supreme Court and Court of Appeals Clerk's Office.

Mr. T. James Kennedy
Kenosha, WI

T. James Kennedy owns and manages Senior Citizen Services, which provides financial consulting and management for senior citizens. From 1968 until 1997, when he opened his current business, Kennedy worked for banks in Florida, Illinois, and Wisconsin in positions ranging from financial planning officer to president. As a bank trust officer, Kennedy frequently worked with attorneys. Kennedy has served on numerous boards and committees, including the Board of Directors of the National Endowment for the Arts.

Attorney Truman Q. McNulty
Milwaukee, WI

Attorney Truman Q. McNulty is a partner in Whyte Hirschboeck Dudek, where he specializes in business, governmental, and municipal law, as well as commercial litigation. In his lengthy legal career, McNulty has served as president of the State Bar (1978-79) and on the Board of Governors of both the State Bar and the American Bar Association (ABA). He also has served on numerous professional discipline and ethics committees of both the State Bar and the ABA, and on the editorial board that produced the *Lawyers Manual on Professional Conduct*. McNulty is a veteran of World War II.

Attorney James W. Mohr Jr.
Hartford, WI

Attorney James W. Mohr Jr. is founder, managing partner, and president of Mohr & Anderson in Hartford. He specializes in business law, school law, real estate, and corporate and commercial transactions. Prior to starting this firm, Mohr was counsel for Heritage Mutual Insurance Company in Sheboygan. He also was an associate and partner in Whyte & Hirschboeck for eight years. Mohr is currently president of the Washington County Bar Association. He is also founder and director of a community theater.

Mr. Michael J. O'Neill
Mayville, WI

Michael J. O'Neill is a mechanical engineer and is retired from John Deere in Horicon. He specializes in product safety design and holds 10 patents. O'Neill began his career in 1958 with the U.S. Army Ordnance Corps and then worked in General Motors' Cadillac Army Tank Division. He is a past member of the Mayville Police and Fire Commission and the Mayville School Board.

Attorney Scott Roberts
Stevens Point

Attorney Scott Roberts is a Wisconsin native who served as Assistant District Attorney in Rusk County from 1976-1977 and in Rock County from 1978-1980. He served as a State Public Defender in Rock County from 1980-1985, and in Milwaukee County from 1986-1991. He worked as an Assistant District Attorney in Portage County from 1991-2000, and now does criminal defense in solo practice in Stevens Point. He has tried approximately 259 jury trials, and recently prosecuted a shaken baby case that occurred more than 20 years ago. He was a main presenter at the Third National Conference on Shaken Baby Syndrome in 2000.

Attorney Deborah M. Smith
Madison, WI

Attorney Deborah M. Smith is legal counsel for the State Public Defender's Office. She has held management positions within the office for eight years, and has worked for the public defender since her graduation from law school in 1980. Smith helped to start the Dane County Drug Treatment Court, and has served on a variety of courthouse committees and the State Bar's BAPR Study Committee.

SPECIAL INVESTIGATIVE PANEL

Attorney Gregory S. Bonney	LaCrosse
Attorney William Pharis Horton	Madison
Attorney Suzanne Kitto	Beloit
Attorney Myron E. LaRowe	Reedsburg
Attorney Francis H. LoCoco	Milwaukee
Attorney Richard G. Niess	Madison
Attorney Mark A. Peterson	Milwaukee
Attorney William Retert	Fond du Lac
Attorney Bruce J. Rosen	Madison
Attorney John Runde	Wausau
Attorney Carl Sinderbrand	Madison
Attorney Ronald R. Smith	Verona

SPECIAL PRELIMINARY REVIEW PANEL

Attorney Kara M. Burgos	LaCrosse
Dennis B. Gorder	Necedah
Dean Helstad	Ettrick
Attorney James G. Poulos	West Bend
Attorney Jane C. Schlicht	Milwaukee
Attorney Paul Van Grunsven	Milwaukee
Attorney Darlo Wentz	Richland Center

SUPREME COURT REFEREES

Norman C. Anderson	Madison
Michael Ash	Milwaukee
Linda S. Balisle	Madison
Rose Marie Baron	Milwaukee
Kathleen Brady	Wauwatosa
Steven J. Caulum	Madison
John R. Decker	Milwaukee
William Eich	Madison
James R. Erickson	Balsam Lake
Richard M. Essenberg	Milwaukee

Henry A. Field, Jr.
Curry First
Dennis J. Flynn
John A. Fiorenza
David R. Friedman
Eugene Gasiorkiewicz
Amy Gentz
Lance S. Grady
Stanley F. Hack
Russell L. Hanson
Charles J. Herro
Janet A. Jenkins
William A. Jennaro
John S. Jude
Joan F. Kessler
Robert T. McGraw
Kim Peterson
Gene B. Radcliffe
Catherine Rottier
John N. Schweitzer
John E. Shannon, Jr.
Judith Sperling Newton
Daniel J. Stangle
Konrad Tuchscherer
Timothy L. Vocke
James T. Winiarski

Madison
Milwaukee
Racine
Mequon
Madison
Racine
Madison
Waukesha
Milwaukee
Westby
Oconomowoc
LaCrosse
Milwaukee
Racine
Milwaukee
Waukesha
Oconomowoc
Black River Falls
Madison
Madison
Stevens Point
Madison
Park Falls
Wausau
Rhineland
Milwaukee

APPENDIX 3

NEW MATTERS AND DISPOSITIONS, FISCAL YEAR 1994 - 2002

	FY94	FY95	FY96	FY97	FY98	FY99	FY00	FY01	FY02
Number of Attorneys	17,974	18,558	18,938	19,301	19,581	19,984	20,167	20,551	20,772
Number Pending at Beginning of Fiscal Year	634	579	444	421	448	500	621	874	1,127
*Adjustments							(14)		(109)
New Matters	1,456	1,346	1,316	1,506	1,396	1,423	1,526	**1,951	**2,423
Dispositions	1,511	1,482	1,339	1,479	1,344	1,302	1,287	1,698	2,346
Pending at Close of Fiscal Year	579	444	421	448	500	621	874	1,127	1,313

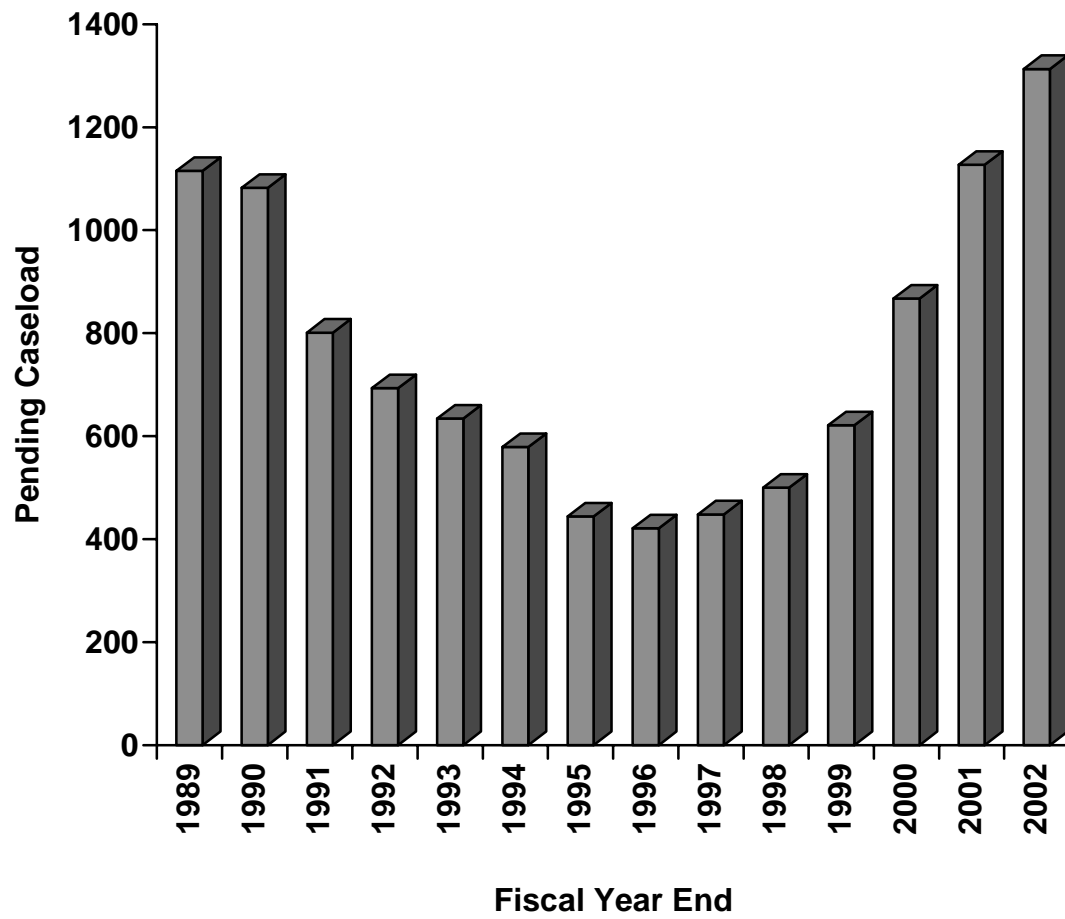
*Adjustments include appealed matters that are reopened and other administrative changes made during the fiscal year.

**There has been an increase in number of new matters due to the telephonic intake program established January 1, 2001.

APPENDIX 4

PENDING CASELOAD

Fiscal Years 1989 - 2002



APPENDIX 5

EFFICIENCY AND PRODUCTIVITY

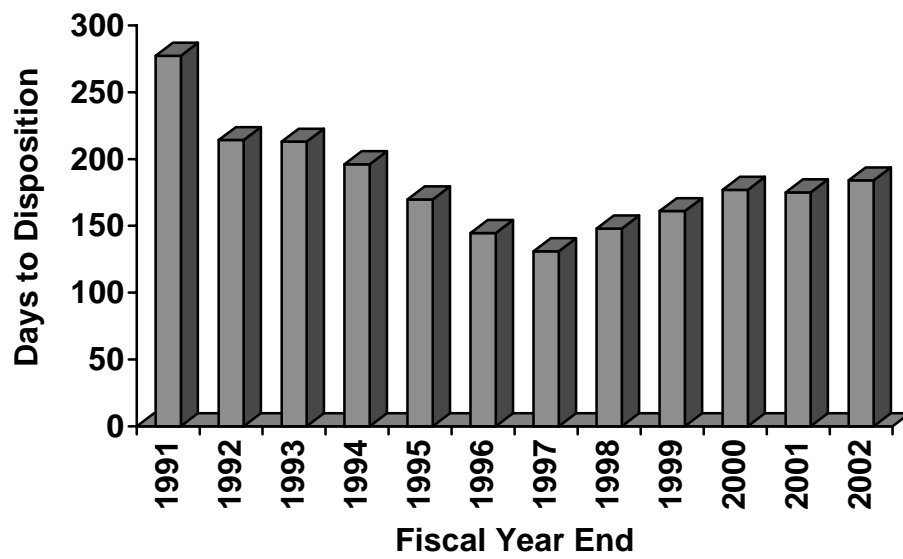
	FISCAL YEAR 2000	FISCAL YEAR 2001	FISCAL YEAR 2002
*AVERAGE TIME FOR DISPOSITION	178 DAYS	175 DAYS	184 DAYS
MATTERS OVER ONE YEAR OLD	201	306	461
PERCENTAGE OF MATTERS OVER ONE YEAR OLD	23%	27%	35%
PERCENTAGE OF MATTERS CLOSED WITHIN 90 DAYS	44%	55%	58%
PERCENTAGE OF MATTERS CLOSED WITHIN 180 DAYS	68%	70%	74%

*Average time for disposition is calculated by averaging length of time it took to process a case and calculates the time for each case when matters are completed. Because many older matters will be completed during the next fiscal year, the average time for disposition is expected to remain high for the coming year but should be reduced significantly thereafter.

APPENDIX 6

AVERAGE MATTER PROCESSING TIME

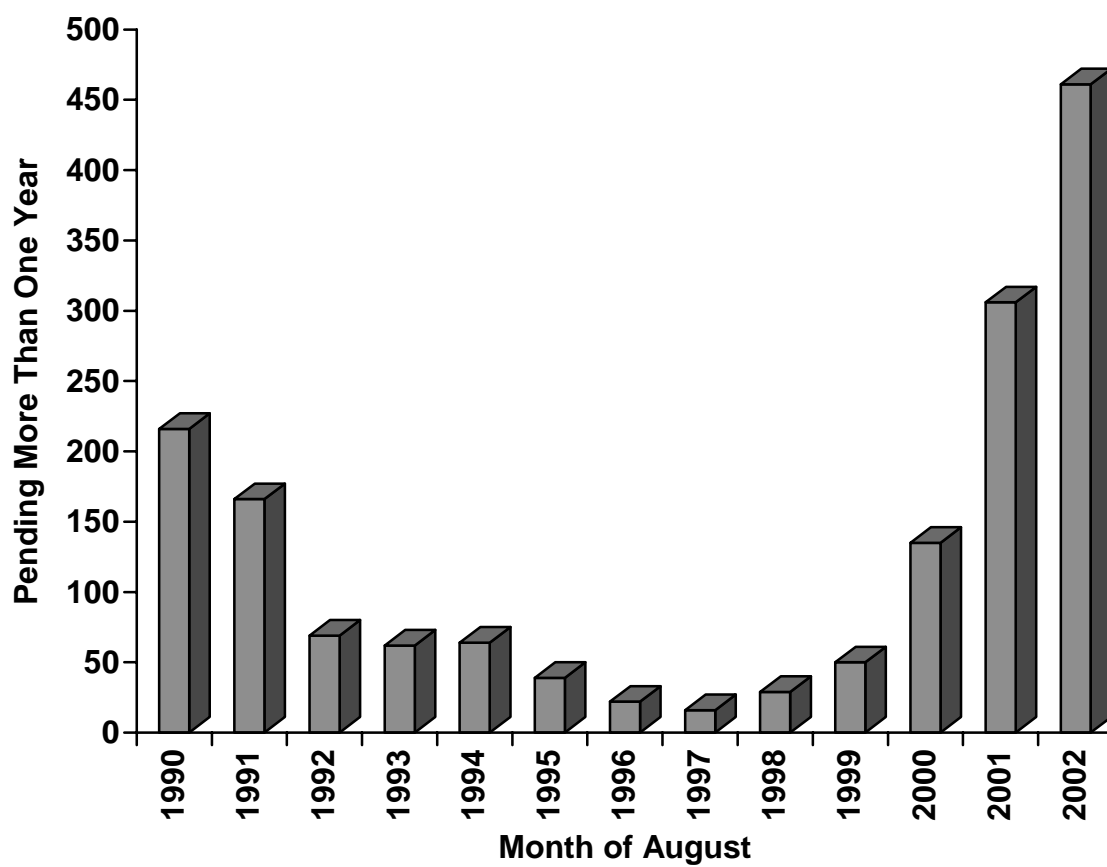
Fiscal Years 1991 - 2002



APPENDIX 7

GRIEVANCES PENDING MORE THAN ONE YEAR

Fiscal Years 1990 - 2002



APPENDIX 8A

SURVEY OF GRIEVANCES RECEIVED DURING

FISCAL YEAR 2001-2002

Categorized by Allegation

ALLEGATIONS	TOTAL	PERCENTAGE OF TOTAL ALLEGATIONS
Conflict of Interest	106	4.4%
Criminal Conduct	17	0.7%
Failure to Return Property	103	4.3%
Frivolous Action	22	0.9%
*IFOR	644	27.0%
Improper Advertising	11	0.5%
Improper Advocacy	34	1.4%
Improper Communications	44	1.8%
Improper Termination	15	0.6%
Incompetence	61	2.5%
Lack of Communication	303	13.0%
Lack of Diligence	410	17.0%
Medical Incapacity	2	0.1%
Misrepresentation/Dishonesty	232	9.6%
Reciprocal Discipline	6	0.2%
Revealing Confidences	16	0.7%
Scope of Representation	50	2.0%
Statutory Violation	26	1.0%
Supervise Subordinates	5	0.2%
Trust Account Violations	64	2.7%
Unauthorized Practice	28	1.2%
Unreasonable Fees	82	3.4%
Violation of Decision	7	0.2%
Violation of Oath	56	2.3%
Not Available	6	0.2%
Other	52	2.1%

*Accounting policy for Inquiries Falling Outside the Rules was changed temporarily during this year, but will revert to traditional policy next year.

APPENDIX 8B

SURVEY OF GRIEVANCES RECEIVED DURING

FISCAL YEAR 2001-2002

Categorized by Area of Practice

AREA OF PRACTICE	TOTAL	PERCENTAGE OF TOTAL AREA OF PRACTICE
Administrative & Government Law	28	1.2%
Bankruptcy-Receivership	78	3.2%
Collections, Garnishments	64	2.7%
Contracts, Commercial, Consumer Law	32	1.3%
Corporate-Banking	26	1.1%
Criminal Law	675	28.1%
Environmental Law	2	0.1%
Estate-Probate, Guardianship & Wills	145	6.0%
Family Law & Juvenile	618	25.7%
Immigration & Naturalization	14	0.6%
Insurance	31	1.3%
Labor, Unemployment Compensation	23	1.0%
Landlord-Tenant	35	1.5%
Litigation	147	6.1%
Patent-Trademark	3	0.1%
Real Property Law & Foreclosure	87	3.6%
Taxation	12	0.5%
Torts, Including Personal Injury, Auto Accidents and Civil Rights	220	9.2%
Workers Compensation, Soc. Security	60	2.5%
Not Available	28	1.2%
Other	76	3.0%

APPENDIX 8C

SURVEY OF GRIEVANCES RECEIVED DURING

FISCAL YEAR 2001-2002

Categorized by Source of Grievance

SOURCE OF GRIEVANCE	TOTAL	PERCENTAGE OF TOTAL SOURCE OF GRIEVANCE
Client	1413	59%
Adverse Party	335	14.0%
Other Person	450	18.8%
Attorney	78	3.3%
Staff	98	4.1%
Judge	16	0.8%

APPENDIX 9

PUBLICLY DISCIPLINED LAWYERS

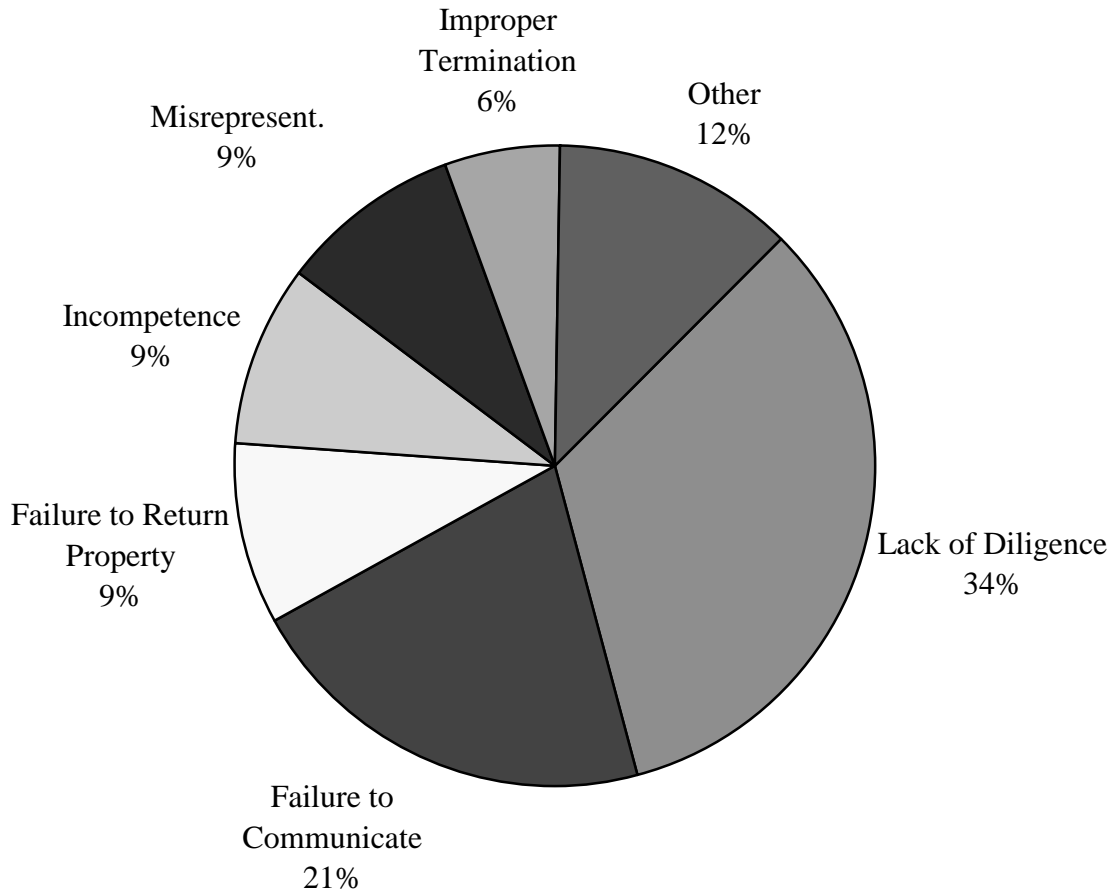
AS A PERCENTAGE OF TOTAL LAWYER POPULATION

YEAR	NUMBER OF LAWYERS PUBLICLY DISCIPLINED	STATE BAR MEMBERSHIP	PERCENTAGE OF LAWYERS PUBLICLY DISCIPLINED
2001-02	20	20,772	0.1
2000-01	37	20,551	0.2
1999-00	24	20,167	0.1
1998-99	34	19,984	0.2
1997-98	37	19,581	0.2
1996-97	28	19,301	0.1
1995-96	33	18,938	0.2
1994-95	47	18,558	0.3
1993-94	55	17,974	0.3
1992-93	69	17,648	0.4
1991-92	50	17,407	0.3
1990-91	45	16,334	0.3
1989-90	33	15,876	0.2
1988-89	38	15,451	0.2
1987-88	39	14,942	0.3
1986-87	32	14,533	0.2
1985-86	45	14,312	0.3
1984-85	38	14,096	0.3
1983-84	45	13,536	0.3
1982-83	36	13,300	0.3
1981-82	28	12,700	0.2
1980-81	20	12,300	0.2
1979-80	16	11,900	0.1
1978-79	11	11,600	0.1

APPENDIX 10

**TYPE OF MISCONDUCT FOUND IN PUBLIC DISCIPLINE
DECISIONS**

Fiscal Year 2001-2002



OTHER:

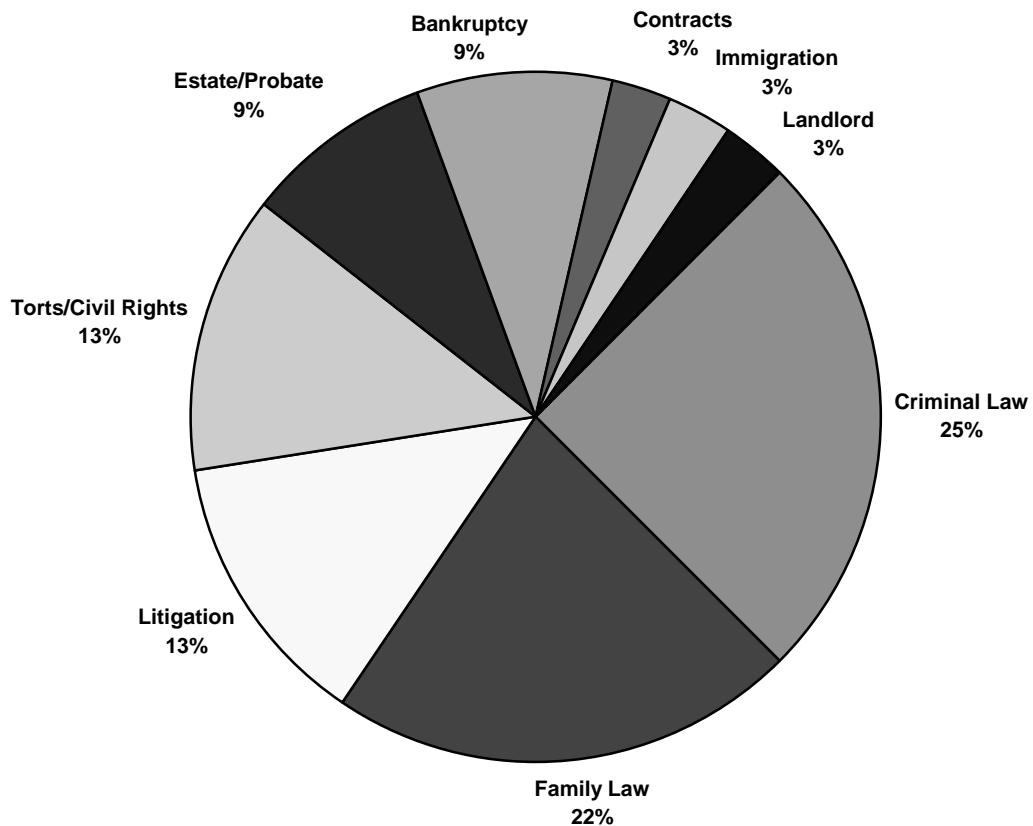
Criminal Conduct
Reciprocal Discipline

Frivolous Action
Trust Account Violations

APPENDIX 11

AREAS OF PRACTICE IN WHICH MISCONDUCT WAS FOUND IN PUBLIC DISCIPLINE DECISIONS

Fiscal Year 2001-2002



APPENDIX 12
OFFICE OF LAWYER REGULATION
2001-2002
OUTREACH EFFORTS

DATE	PRESENTER	EVENT
07/18/01	Sellen	Speech to Racine Rotary Club
08/16/01	Staff	Special Investigative Panel Orientation
08/28/01	Staff	Special Panels Meeting – Rules Review
08/29/01	Staff	Referee/Respondents’ Counsel Meeting (Referee Role in the New System)
08/30/01	Weigel	Waukesha County Bar
09/19/01	Weigel	Ethics for GALs (Winnebago Co. Bar)
Various Dates	Cimpl	Meetings with various district committees
10/04/01	Sellen/Danner	VFW (Wisconsin Rapids)
10/05/01	Sellen/Danner O’Connell	District Committee Member Training in Wausau
10/15/01	Weigel	Pitfalls for Lawyers – Marquette Law School
10/18/01	Cimpl/Sellen	Visit to District Committee 11
10/25/01	Cimpl/Sellen	Visit to District Committee 5
10/25- 26/01	Danner Sellen	Legal Ethics 2001 – State Bar CLE
10/30/01	Sellen	UW Law School Ethics Class
10/31/01 - 11/1/01	Sellen	Bankruptcy CLE in Madison/Milwaukee
11/02/01	Levit/Sellen Wickhem	State Bar Bd. Of Governors
11/06/01	Sellen/Weigel	Waukesha County Bar
11/08/01	Sellen	Marquette Law School Ethics Class
11/10/01	Sellen/Smith	Trust Account CLE for Dane Bar Assn.
11/14/01	Weigel	Ethics for GALs – UW Extension
11/15/01	Weigel	Ethics for GALs – UW Extension
11/15/01	Danner	New LRS – Marquette Law School

11/19/01	Sellen	LaCrosse County Bar
11/28/01	Sellen Weigel	Referee Training
11/28/01	Danner	New LRS – Legal Action of Wisconsin
11/30/01	Pierce	New LRS – Milwaukee Bar
12/01/01	Sellen	WI Assn. Of Criminal Defense Lawyers
12/01/01	Danner	Ethics and Marketing of Services – WATL
12/06/01	Wickhem, Sellen, O’Connell, Smith, Pierce	Ethics School – OLR Professionalism Seminar
12/06/01	Weigel	Avoiding Grievances – Chippewa Bar
12/07/01	Weigel	Ethics for Prosecutors – DOJ/WDAA
12/12/01	Danner	Ethics & Technology – Corp. Pract. Inst.
12/14/01	Sellen	Visit District Committee 8
01/02/02- 05/02/02	Weigel	Professional Responsibilities Instructor University of Wisconsin Law School
01/15/02	Sellen	Outagamie County Bar
01/16/02	Sellen	Press Orientation – Matt Olson, Isthmus
01/29/02	Sellen	Association of Women Lawyers Seminar
02/02/02	Sellen	American Assn. of University Women
02/06/02	Sellen	Dodge County Bar
02/11/02	Danner/Smith	Marquette Law School Ethics Class
03/01/02	Sellen	State Bar Board of Governors
03/05/02	Weigel	Marquette County Bar
03/14/02	Sellen	Court News Media Orientation
03/20/02	Sellen	Marinette County Bar
03/21/02	Sellen/O’Connell	Briefing for Dean of East Asian School of Legal Studies
03/28/02	Sellen	District Committee Training in Rice Lake

04/04/02	Sellen	Speech to Phi Delta Phi at Marquette law School
04/09/02	Pierce	Speech to Milwaukee Lawyers Assistance Program
04/16/02	O'Connell	Meeting with State Bar Customer Assistance and Lawyer Referral Representatives
04/17/02	Sellen	Speech to Marinette Bar Association
04/19/02	Sellen	Local Bar Leaders Conference
04/22/02	Sellen	Taught Criminal Justice Class at Edgewood College
04/26/02	Danner, Sellen	District Committee Training in Milwaukee
05/01/02	Sellen	Registers in Probate Conference-Fond du Lac
05/10/02	O'Connell	Presentation to Special Panels
05/15/02	Danner, O'Connell, Sellen	District Committee Training in Madison District Committee Chairpersons Meeting
05/17/02	Weigel, Sellen	Referee Forum in Madison